

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

J.M., a minor, by and through her parents and
next friends, THOMAS and REBECCA
MORRIS,

Plaintiff,

v

HILLDALE INDEPENDENT SCHOOL
DISTRICT NO. I-29 OF MUSKOGEE
COUNTY, OKLAHOMA a/k/a HILLDALE
PUBLIC SCHOOLS, and BRIAN
GIACOMO,

Defendants.

Case No. CIV 07-367-JHP

AMENDED JUDGMENT

Pursuant to the jury verdict rendered the 15th day of August, 2008, the Court enters judgment for the plaintiff, J.M. a minor, by and through her parents and next friends, Thomas and Rebecca Morris, and against the defendant, the Hilldale Independent School District No. I-29 of Muskogee County, Oklahoma a/k/a Hilldale Public Schools, on the following causes of action:

42 U.S.C., §1983 — Danger Creation Theory and 42 U.S.C., §1983 — Inaction Theory in the amount of one hundred and fifty thousand dollars (\$150,000.00);

20 U.S.C., §1681 – Title IX in the amount of one hundred and fifty thousand dollars (\$150,000.00);

Oklahoma Governmental Tort Claims Act ---- Negligent Supervision in the amount of one hundred and twenty-five thousand dollars (\$125,000.00).

Pursuant to the jury verdict rendered the 15th day of August, 2008, the Court enters judgment for the defendant, the Hilldale Independent School District No. I-29 of Muskogee County, Oklahoma a/k/a Hilldale Public Schools, on the following causes of action and the plaintiff, J.M. a

minor, by and through her parents and next friends, Thomas and Rebecca Morris, recover nothing:

42 U.S.C., §1983 ---- Inadequate Training;

Oklahoma Governmental Tort Claims Act ---- Failure to Report.

Pursuant to the jury verdict rendered the 15th day of August, 2008, the Court enters judgment for the plaintiff, J.M. a minor, by and through her parents and next friends, Thomas and Rebecca Morris, and against the defendant, Brian Giacomo, on the following causes of action:

Assault in the amount of five hundred and thirty thousand dollars (\$530,000.00);

Battery in the amount of five hundred and forty thousand dollars (\$540,000.00);

Intentional Infliction of Emotional Distress in the amount of five hundred and thirty thousand dollars (\$530,000.00);

Punitive Damages in the amount of five hundred thousand dollars (\$500,000.00).

IT IS SO ORDERED this 3rd day of October 2008.



James H. Payne
United States District Judge
Eastern District of Oklahoma